

Atty. Docket No. PLA13 P-300

ZW AF 2834

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O.Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

April 1, 2005
Date

Melanie S. Jernberg
Melanie S. Jernberg

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 2834
Examiner : Joseph Waks
Appln. No. : 09/981,231
Applicant : Steve Anderson Platt
Filing Date : October 17, 2001
Confirmation No. : 5580
For : WIND POWERED GENERATOR

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 5, 2005 finally rejecting claims 9, 10, 15-19, 24-28, 39, 41-45, 50-57, 72 and 74.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☐ other than a small entity
☒ small entity

Verified Statement

☐ attached
☒ previously submitted on October 17, 2001

Applicant : Steve Anderson Platt
Appln. No. : 09/981,231
Page : 2

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal is:

X small entity (fee previously submitted on September 29, 2003)
___ other than a small entity

Notice of Appeal fee due: \$0

3. EXTENSION OF TIME

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) ___ Applicant petitions for an extension of time under 37 C.F.R. §§1.17(a)-(d) for the total number of months checked below:

| Extension (months) | Fee for other than <u>small entity</u> | Fee for <u>small entity</u> |
|-----------------------|---|--------------------------------|
| ___ one month | \$110.00 | \$55.00 |
| ___ two months | \$410.00 | \$205.00 |
| ___ three months | \$930.00 | \$465.00 |
| ___ four months | \$1450.00 | \$725.00 |

Fee: \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

(b) X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant : Steve Anderson Platt
Appln. No. : 09/981,231
Page : 3

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$0
Extension fee (if any): \$0

Total Fee Due: \$0

5. FEE PAYMENT

___ Attached is a check in the sum of \$

___ Charge Account No. 16 2463 the sum of \$ ___
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

X If any additional extension and/or fee is required charge Account No. 16 2463.


and/or

X If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

Date

4/11/05



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MPD/msj